

EXHIBIT A

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 -----X
5 PEOPLE OF THE STATE OF NEW YORK, by Letitia
6 James, Attorney General of the State of New
7 York,

8
9 PLAINTIFF,

10 -against- Case No.:
11 21-cv-322 (CM) (GWG)

12 CITY OF NEW YORK, MAYOR BILL DE BLASIO,
13 POLICE COMMISSIONER DERMOT F. SHEA, and
14 CHIEF OF DEPARTMENT TERENCE A. MONAHAN,

15 DEFENDANTS.
16 -----X

17 DATE: MAY 26, 2023

18 TIME: 10:32 A.M

19 REMOTE DEPOSITION of CHIEF JEFFREY
20 MADDREY, taken by the Plaintiffs, pursuant to
21 a Notice and to the Federal Rules of Civil
22 Procedure, held via video teleconference,
23 before Diane Buchanan, a Notary Public of the
24 State of New York.
25

A P P E A R A N C E S:

NEW YORK STATE OFFICE OF THE ATTORNEY GENERAL
Attorneys for the Plaintiffs

28 Liberty Street

New York, New York 10005

BY: LILLIAN MARQUEZ, ESQ.

NEW YORK CITY LAW DEPARTMENT

Corporation Counsel of the City of New York

100 Church Street

New York, New York 10007

BY: JOSEPH HIRAOKA, ESQ.

ALSO PRESENT: Alicia Calzada, Esq.

Veronica Salama, Esq.

Aymen Aboushi-Rolan, Esq.

Elizabeth Moehle, Esq.

Laura Mülle

* * *

F E D E R A L S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED by and between the counsel for the respective parties herein that the sealing, filing and certification of the within deposition be waived; that the original of the deposition may be signed and sworn to by the witness before anyone authorized to administer an oath, with the same effect as if signed before a Judge of the Court; that an unsigned copy of the deposition may be used with the same force and effect as if signed by the witness, 30 days after service of the original & 1 copy of same upon counsel for the witness.

IT IS FURTHER STIPULATED AND AGREED that all objections except as to form, are reserved to the time of trial.

* * * *

1 CHIEF JEFFREY MADDREY

2 don't know exactly who. And the City of
3 New York.

4 Q. Okay. Any other times you recall
5 being deposed?

6 A. No. I think I was deposed one
7 other time, it was an extremely long time
8 ago. I don't remember.

9 Q. Was it while you were in NYPD?

10 A. Yes.

11 Q. Or in your capacity as a member of
12 the service?

13 A. Yes.

14 Q. More than ten years ago would you
15 say?

16 A. Yes.

17 Q. Any other times?

18 A. The best of my recollection, that's
19 it.

20 Q. Okay. And I'm guessing you also
21 testified in criminal cases?

22 A. Yes.

23 Q. How many times would you say?

24 A. At least ten times.

25 Q. Have you ever been accused of lying

1 CHIEF JEFFREY MADDREY

2 under oath?

3 A. Yes.

4 Q. When?

5 A. In 2017.

6 Q. In connection with what?

7 A. In connection with a case in the
8 police department.

9 Q. Internal investigation?

10 A. Internal investigation, yes.

11 Q. Involving who?

12 A. The same case with Tabatha Foster.

13 Q. When you say the same case, is it
14 arising from the same circumstances or
15 involving that civil suit that's in court
16 right now?

17 A. Arising from the same
18 circumstances.

19 Q. Involving, I'm not sure what her
20 rank was, Tabatha Foster?

21 A. She was a police officer.

22 Q. PO. Okay. And was Officer Foster
23 a subordinate of yours or outside of your
24 command?

25 MR. HIRAOKA: Ms. Marquez, I just

1 CHIEF JEFFREY MADDREY

2 want to step in for a moment. The case
3 is still open and I'm not representing
4 Chief Maddrey with respect to that open
5 case. The attorney who is representing
6 him should be available later this
7 afternoon. So, I have no problems with
8 you asking questions about that, but I
9 will not allow him to answer questions
10 while his attorney is not present. If
11 you could wait to ask questions about
12 open cases until 2:30, 3 o'clock, when
13 his private attorney could log in, that
14 would be appreciated.

15 Q. My understanding, Chief, that was
16 closed under plea, that particular
17 investigation; is that right?

18 A. Yes.

19 MS. MARQUEZ: Joe, do you still
20 want me to wait, I could do that later,
21 but my understanding that it's closed.

22 MR. HIRAOKA: That would be
23 appreciated. Because there could be
24 some overlap and so forth to prevent
25 future problems when his attorney who

1 CHIEF JEFFREY MADDREY
2 represents him on the case that is still
3 open, since the facts they may overlap I
4 think to prevent any problems if you
5 could wait until his private attorney is
6 available and logs in, that would be
7 better. I would very much appreciate
8 it.

9 MS. MARQUEZ: What time are they
10 joining?

11 MR. HIRAOKA: He should be
12 available between 2:30 and 3:00.

13 MS. MARQUEZ: Okay.

14 Q. I will hold off on those questions,
15 Chief.

16 Aside from that instance of that
17 accusation in you said 2017?

18 A. Yes, I was deposed in 2017, 2017.

19 Q. You were deposed, sir?

20 A. Yes, I was deposed in 2017. Yes.

21 Q. And I just want to make sure, I
22 will get into the questions a little more
23 then. I just wanted to make sure I was about
24 to ask a follow-up about depositions versus
25 interviews with IAB. Because I will make a

1 CHIEF JEFFREY MADDREY

2 24-hours that might effect your ability to
3 testify fully and accurately today?

4 A. I took blood pressure medication
5 this morning and cough medicine.

6 Q. Nothing that would prevent you from
7 testifying fully and accurately?

8 A. I don't believe so.

9 Q. Have you taken any alcohol within
10 the last 24 hours, again, that you believe
11 would effect your ability to testify fully
12 and accurately?

13 A. No.

14 Q. Okay. Thank you. You mentioned
15 some folks in the room today, are they your
16 counsel?

17 A. Yes.

18 Q. Are you represented by any other
19 counsel?

20 A. I have a private attorney,
21 Mr. Lambros Lambrou.

22 Q. Is he the attorney who will be
23 joining us later today?

24 A. Yes.

25 Q. Okay. And so we will just note his

1 CHIEF JEFFREY MADDREY

2 MR. HIRAOKA: So, for the record, I
3 found out that Chief Maddrey's personal
4 attorney regarding his open cases will
5 not be able to appear today partly
6 because it's the holiday weekend and his
7 office is closed. Given the fact that
8 Chief Maddrey does have an open CCRB
9 case and he does have an open civil
10 lawsuit that is related to a closed IAB
11 investigation. Since his Counsel is not
12 here for those two cases, I will not
13 allow him to answer any questions
14 regarding the open CCRB case or the open
15 civil case involving a closed IAB
16 lawsuit. With respect to the closed IAB
17 lawsuit, like I said I have no problem
18 with you asking general things, like the
19 general allegations and the outcome and
20 any penalty, but because his private
21 attorney is not here, I will not allow
22 him to answer questions regarding the
23 underlying facts until his personal
24 attorney is here. As I indicated on the
25 record, Chief Maddrey will come back to

1 CHIEF JEFFREY MADDREY

2 answer those questions with his private
3 counsel present and we can go forward
4 and also we would not consent to pay for
5 the deposition transcript for when Chief
6 Maddrey returns.

7 MS. MARQUEZ: As I was informing
8 Counsel off the record, and will now
9 state on the record, it was already put
10 on the record that at the start of the
11 deposition, you know, you represented to
12 me that his private counsel would be on
13 this afternoon, he did not come on in
14 the afternoon and you had asked me to
15 hold off asking questions based on that
16 representation and I did. And now it's
17 past business hours and I don't feel
18 it's right to call the Court at this
19 hour to ask for a ruling on this, but
20 it's not appropriate to direct a witness
21 to not answer questions regarding an
22 open CCRB case, which is not anything
23 that is protected, as I understand it,
24 there's no privilege there, there's no
25 other basis I'm aware of that you can

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CHIEF JEFFREY MADDREY

direct him not to answer that. And I have questions on those issues. And if it made you feel more comfortable to have counsel here that this was something that was only raised to me at the start of the deposition. And again was represented to me private counsel would be on the deposition in the afternoon. Him not being here, it's not right to have us bear the burden and cost of the Chief coming back in form of court reporter costs and the form of our time, we are here today and you don't, as you sit here, Joe, have a date and time you would even produce him, correct?

MR. HIRAOKA: If you have some dates and times you want to propose, I think we can resolve that issue now. Do you have any dates and time?

MS. MARQUEZ: Do you know when his private counsel will be available?

MR. HIRAOKA: No, I will have to relate to him. I'm sorry, were you done

1 CHIEF JEFFREY MADDREY

2 with the statement?

3 MS. MARQUEZ: No. I just, yes, I
4 was just making sure I understood that
5 we can't resolve that right now. You
6 just informed me as of 20 minutes ago
7 that it's -- that the private counsel is
8 not even around because his office is
9 now closed all of a sudden. So, you
10 know, like, I'm going to go ahead and
11 finish with my questioning. If you want
12 to direct him not to answer, I will mark
13 it for a ruling. It's too late to call
14 the Court, but we will be seeking for
15 the City to pay for his return because I
16 don't think that's an appropriate
17 objection and, you know, if Counsel felt
18 more comfortable having private counsel
19 here on the call, they should have
20 arranged for that. I think that was it.
21 Joe, I don't know if you had anything
22 else.

23 MR. HIRAOKA: Yes. Understood.

24 His private counsel indicated that he
25 would be available and it wasn't until

1 CHIEF JEFFREY MADDREY

2 late this afternoon that I was informed
3 he would not be available. So, I have
4 no control over that. I apologize. At
5 this point I would ask you continue with
6 your deposition and any future disputes
7 we have regarding fees and so forth will
8 be taken up at the appropriate time. I
9 have no problem with you finishing up
10 the questions you have right now. And
11 like I said we will bring Chief Maddrey
12 back regarding any questions you have
13 regarding any open cases he may have.

14 MS. MARQUEZ: When were you alerted
15 private counsel would not be available?

16 MR. HIRAOKA: That was
17 approximately, approximately 3:45 this
18 afternoon, approximately.

19 Q. Let's start with the rest of the
20 questions. Chief, we went over a number of
21 incidents, I remember one more protest you
22 said you were at June 3rd, Cadman Plaza,
23 correct?

24 A. Yes.

25 Q. Were you the incident commander

1 CHIEF JEFFREY MADDREY

2 is disqualifying, that's on a case-by-case
3 basis?

4 A. Yes.

5 Q. Determined by, I guess, ultimately
6 the police commissioner?

7 A. Ultimately the police commissioner,
8 yes.

9 Q. So just to go briefly over the
10 CCRBs. You said everything that was opened
11 against you was unsubstantiated as it relates
12 to the protests?

13 A. To my knowledge, yes.

14 Q. Okay. And what informs your
15 knowledge?

16 A. I received, I received letters from
17 CCRB stating that they were closed, that they
18 were unsubstantiated and closed.

19 Q. Did you receive a letter from CCRB
20 saying as much for the case we sort of
21 discussed on May 30th at the Brooklyn Bridge?

22 A. I sat through CCRB hearings for
23 approximately four days in the summer of
24 2021. There was multiple charges and to my
25 knowledge I received letters back on all of

1 CHIEF JEFFREY MADDREY

2 them saying they were all unsubstantiated.

3 Q. Do you know if anybody else, any
4 other subject officer from that case against
5 whom charges and specifications were filed?

6 A. I don't understand your question.

7 Q. So you were one subject officer,
8 but there were others in that case, May 30th,
9 Brooklyn Bridge. Are you aware of the status
10 of the case as to those officers?

11 A. No, I don't know who received
12 complaints on May 30th at the Brooklyn
13 Bridge, so I can't provide an answer.

14 Q. Okay. And then you had also
15 testified earlier to a closed case involving
16 -- my apologies. Tabatha Foster?

17 A. Yes, Foster.

18 Q. And the allegations there were that
19 you got into a physical altercation with Ms.
20 Foster?

21 A. Yes.

22 Q. And that you failed to report that
23 altercation to patrol supervisor?

24 A. Yes.

25 Q. And that you intended to impede the

1 CHIEF JEFFREY MADDREY

2 investigation by lying about the fact that
3 Ms. Foster brandished her service weapon?

4 A. I never lied about that.

5 Q. That was an allegation?

6 A. The allegation I impeded the
7 investigation by -- I impeded the
8 investigation by telling them that, you know,
9 I was police chief and everything was okay.

10 Q. And did Ms. Foster actually
11 brandish a weapon?

12 MR. HIRAOKA: No. Don't answer
13 that.

14 MS. MARQUEZ: That's a closed case.

15 MR. HIRAOKA: As I stated on the
16 record beforehand, I'm not going to
17 allow him to answer questions regarding
18 the substance of the case. The
19 allegations and the outcome is fine.
20 And I'm not saying you can't ask them
21 ever, I'm just saying I will not allow
22 him to answer without his private
23 counsel present.

24 MS. MARQUEZ: You said the
25 opposite. If it's closed you will not

1 CHIEF JEFFREY MADDREY

2 direct him not to answer.

3 Q. This is a closed case, Chief?

4 A. Yes, it is.

5 MR. HIRAOKA: What was your comment
6 to me?

7 MS. MARQUEZ: I was going to ask
8 another question.

9 Q. You entered a plea in that case,
10 yes?

11 A. Yes.

12 Q. The 45 days loss of vacation days;
13 is that right?

14 A. Yes.

15 Q. And that is a large amount, no?

16 A. Yes.

17 Q. And why did you plead?

18 MR. HIRAOKA: No. Don't answer
19 that. Okay. So, again, Counsel at this
20 point, like I said, I'm allowing him to
21 answer question. It's a closed,
22 regarding closed allegation, regarding
23 the allegations and the outcome as for
24 any subjective matters regarding the IAB
25 case there's an open civil case, I will

1 CHIEF JEFFREY MADDREY
2 not allow him to answer further
3 questions regarding the IAB case without
4 his counsel present.

5 MS. MARQUEZ: Do you have case law
6 allowing him not to answer questions?

7 MR. HIRAOKA: Rule 30. This will
8 be made at that base. He does have a
9 private counsel. I'm not saying he
10 can't answer them ever. I'm not
11 allowing him to answer without his
12 personal counsel present.

13 MS. MARQUEZ: I'm marking it for a
14 ruling.

15 Q. You did plead to 45 days loss of
16 vacation, correct?

17 A. Yes.

18 Q. And I believe you won't stop me
19 from asking at least what the ultimate
20 charges that you pled to were?

21 A. Yes, it was physical altercation,
22 failure to report and impede an
23 investigation.

24 Q. So to all three?

25 A. Yes.

1 CHIEF JEFFREY MADDREY

2 Q. Okay. If I told you it had been
3 reported that the last charge was dropped
4 from the ultimate findings, is that an
5 accurate reporting?

6 A. When you say the last charge out of
7 the three I just spoke about?

8 Q. The attempt to impede investigation
9 was dropped?

10 A. The three³ charges I just named,
11 impeded investigation, physical altercation
12 and failure to report were the three charges.

13 Q. Okay. So your recollection is that
14 you pled, I guess, guilty to those three?

15 A. Yes.

16 Q. You didn't undergo a trial because
17 of that plea, correct?

18 A. Yes.

19 MS. MARQUEZ: And I'm going call
20 for production of that file.

21 MR. HIRAOKA: Put all requests in
22 writing and we will take it under
23 advisement.

24 Q. Was Tabatha Foster ever subject to
25 investigation with respect to that same

1 CHIEF JEFFREY MADDREY

2 investigation?

3 MR. HIRAOKA: Don't answer. Same
4 objection. I will not let him answer
5 questions.

6 MS. MARQUEZ: That is a
7 third-party, Tabatha Foster.

8 MR. HIRAOKA: It still involves, it
9 still involves the IAB investigation
10 that is closed and the open civil case,
11 so same objection.

12 Q. Is Tabatha Foster currently a
13 member of service?

14 MR. HIRAOKA: Same objection.
15 Don't answer.

16 MS. MARQUEZ: Seriously, that's a
17 matter of public record.

18 MR. HIRAOKA: If it's a matter of
19 public record you can get it.

20 MS. MARQUEZ: So you are actually
21 directing him not to answer something
22 that should be in the public record?
23 You are directing a person not to answer
24 something in federal, in a deposition
25 that I could potentially go online and

1 CHIEF JEFFREY MADDREY

2 look up?

3 MR. HIRAOKA: Again, this involves,
4 this is related to his open civil suit.
5 All right, so I'm not going allow him to
6 answer any other questions other than
7 what he agreed to without his private
8 counsel present.

9 MS. MARQUEZ: Are you going to stop
10 me from asking him if he has an open
11 civil suit?

12 MR. HIRAOKA: You did.

13 MS. MARQUEZ: That's an open civil
14 suit. I think we can agree not all
15 questions about open civil suit that it
16 falls within whatever you are defining
17 as something you could tell him to stop
18 responding to.

19 MR. HIRAOKA: We will go question
20 by question basis. So, you know, you
21 can continue with your questioning. I'm
22 not obstructing your questioning. I'm
23 just saying there are certain parameters
24 that I will not let him go beyond and
25 answer the questions because he does not

1 CHIEF JEFFREY MADDREY

2 have private counsel present here.

3 Q. Did Ms. Foster retire?

4 A. Yes.

5 Q. When did she retire?

6 MR. HIRAOKA: That's it. Lillian,
7 no more about her retirement.

8 MS. MARQUEZ: I want to get it on
9 the record, you are directing the
10 witness not to answer my question?

11 MR. HIRAOKA: That particular
12 question, yes.

13 MS. MARQUEZ: Okay.

14 Q. Did you consider the altercation
15 akin to domestic violence incident?

16 MR. HIRAOKA: Don't answer. Same
17 objection.

18 Q. You are taking the advise of
19 counsel, Chief, on all of these; is that
20 correct?

21 A. He's the lawyer, yes.

22 Q. Okay. Just want to make sure.

23 And is it not a violation of NYPD
24 policy that pulling out a service weapon,
25 otherwise known as brandishing a service

1 CHIEF JEFFREY MADDREY

2 weapon, against an individual?

3 A. I didn't hear your question.

4 Q. Is brandishing a service weapon a
5 violation of NYPD policy if it's in a private
6 capacity?

7 A. It's against the law.

8 Q. Okay. And so also against NYPD
9 policy?

10 A. Well, an active officers, yes.

11 Q. What about not active officer?

12 A. Yes.

13 Q. Meaning off duty?

14 A. Off duty, if they are not
15 addressing a crime, yes.

16 Q. And in such cases is it NYPD policy
17 to remove their service weapon?

18 A. I don't understand your question.

19 Q. So in a case where somebody has
20 misused their service weapon, for instance,
21 one of the instances is where you recommended
22 discipline, person I guess fired a shot with
23 their service weapon, is it protocol under
24 NYPD policy to remove the service weapon from
25 that person?

1 CHIEF JEFFREY MADDREY

2 A. Normally I would say yes.

3 Q. Why normally? Why are you putting
4 the qualifier?

5 A. I mean every situation is
6 different. If the in the situation I
7 described, so fired his weapon for no reason,
8 I suspended the officer and he was suspended,
9 take his gun and shield.

10 Q. So I guess if they use their
11 service weapon in an unauthorized fashion is
12 it protocol to strip them of their service
13 weapon?

14 A. Yes.

15 Q. What rank were you at the time of
16 this IAB case?

17 A. Assistant chief.

18 Q. Okay. And did you suffer any
19 consequence other than the loss of vacation
20 days for your plea?

21 A. In terms of within the department?

22 Q. Yes.

23 A. No, my penalty was 45 days.

24 Q. And you were promoted there after
25 to Chief of Community Affairs?

1 CHIEF JEFFREY MADDREY

2 A. Yes.

3 Q. How long after entering your plea?

4 A. Three years.

5 Q. Okay. And if you know, what role
6 did your plea play in your promotion?

7 A. I believe I would have been
8 promoted a lot earlier, but because of the
9 incident I didn't get promoted as fast.

10 Q. Did you have to interview? We went
11 over that. You were pulled into the police
12 commissioner's office for that promotion,
13 correct?

14 A. Yes.

15 Q. Okay. And what is the status of
16 the lawsuit against you from Tabatha Foster?

17 A. It's an active lawsuit.

18 Q. Do you know what state? What is
19 the status? Are you in discovery? Do you
20 have a trial next week?

21 A. No.

22 MR. HIRAOKA: Do you know, yes or
23 no?

24 THE WITNESS: Yes. Attorney filed
25 a motion to dismiss.

1 CHIEF JEFFREY MADDREY

2 Q. Okay. So you haven't testified,
3 you haven't provided deposition testimony
4 there?

5 A. We have done depositions already.

6 Q. Okay. So was it a summary judgment
7 motion? Have you heard that word?

8 A. Summary judgment, it probably is
9 summary judgment.

10 Q. But you have done a deposition at
11 the minimum?

12 A. Yes, we have done deposition.

13 Q. Any other active lawsuits against
14 you?

15 A. Not that I am aware of.

16 Q. Any other civil lawsuits as it
17 relates to your service in the NYPD civil
18 lawsuits?

19 A. Did I incur any other civil
20 lawsuits during my time at NYPD? Yes.

21 Q. And not the ones we went over at
22 the top, other than that?

23 A. 32-year career, I had civil
24 lawsuits filed against me in 32 years.

25 Q. Anywhere you were found to be

1 CHIEF JEFFREY MADDREY

2 liable?

3 A. No.

4 Q. Anywhere the City of New York was
5 found to be liable?

6 A. No.

7 Q. Okay. Are you aware of a CCRB
8 investigation into an incident November 24,
9 2021 where you are alleged to have abused
10 your authority by releasing from custody
11 retired NYPD Officer Kruythoff?

12 A. Yes.

13 Q. And what is the status of that
14 CCRB?

15 A. I just -- I decided that I'm going
16 to take this to trial. So, I'm going to
17 trial.

18 MR. HIRAOKA: It's still open?

19 THE WITNESS: It's open, yes.

20 Q. Are you aware of reporting that
21 Commissioner Sewell has reprimanded you in
22 connection with this matter by proposing a
23 loss of ten vacation days?

24 A. Yes.

25 Q. And do you know that to be

1 CHIEF JEFFREY MADDREY

2 accurate?

3 A. It was proposed to me and I did not
4 accept the findings.

5 Q. And how was it proposed to you?

6 MR. HIRAOKA: Don't answer that.

7 Q. And the allegation is abuse?

8 MR. HIRAOKA: Same objection
9 because his private counsel isn't here.

10 Q. I get to ask the question at least.
11 Is the allegation, do you know what the
12 allegations are? I will go through what I
13 understand they are. Abuse of authority?

14 A. Yes.

15 Q. Anything else?

16 A. That's it.

17 Q. Okay. Did you play any role in
18 causing the release of Mr. Forrester from
19 custody?

20 MR. HIRAOKA: Objection. Same
21 objection. His private counsel is not
22 here. Again, we are going into the
23 underlying facts of the case.

24 MS. MARQUEZ: You are directing him
25 not to answer?

1 CHIEF JEFFREY MADDREY

2 MR. HIRAOKA: Don't answer.

3 Q. What was the recommendation by
4 CCRB?

5 A. Schedule B command discipline ten
6 days.

7 Q. Were you served with charges and
8 specifications yet?

9 A. Yes.

10 Q. Okay. Is that where you got the
11 proposal for the ten days?

12 A. No.

13 Q. Okay. This is by separate
14 communication?

15 A. Yes.

16 Q. Would a false arrest be
17 investigated by an abuse of authority by the
18 CCRB?

19 MR. HIRAOKA: In this case or in
20 general?

21 MS. MARQUEZ: In general.

22 A. A false arrest?

23 Q. Yes.

24 A. Yes.

25 Q. Okay. And were you interviewed by

1 CHIEF JEFFREY MADDREY
2 CCRB in relation to this matter?

3 A. Yes.

4 MS. MARQUEZ: We call for the
5 production of this case.

6 MR. HIRAOKA: Please make all
7 requests in writing. We will take it
8 under advisement.

9 MS. MARQUEZ: Just to get on the
10 record you are, you are directing the
11 Chief not to answer any further
12 questions on the CCRB or the closed IAB
13 relating to Ms. Foster for the civil
14 suit by Ms. Foster, correct?

15 MR. HIRAOKA: No. I said we will
16 take it on a question by question basis.
17 You are free to ask the questions. If I
18 find it's too far into the underlying
19 case I will direct him not to answer.
20 He is my client and I'm defending him,
21 his private counsel is not here.

22 Q. At any point before today did you
23 know retired NYPD Officer Forrester?

24 A. Yes.

25 Q. In what capacity?

1 CHIEF JEFFREY MADDREY

2 MR. HIRAOKA: Objection. Don't
3 answer that.

4 Q. When was he retired?

5 MR. HIRAOKA: Objection. Don't
6 answer that either.

7 Q. Do you know that he was alleged to
8 have chased three teens in Brownsville with a
9 gun?

10 MR. HIRAOKA: Objection. Don't
11 answer.

12 Q. Do you know that Mr. Forrester was
13 taken into custody by NYPD officers?

14 MR. HIRAOKA: Objection. Don't
15 answer.

16 Q. Do you know the reason for him
17 being taken into custody?

18 MR. HIRAOKA: Objection. Don't
19 answer.

20 Q. Again, this relates to November 24,
21 2021, do you understand?

22 A. Yes.

23 Q. What happened ultimately to
24 Mr. Forrester?

25 MR. HIRAOKA: Objection. Don't

1 CHIEF JEFFREY MADDREY

2 answer.

3 Q. When did you first learn of
4 Forrester's arrest?

5 MR. HIRAOKA: Objection. Don't
6 answer.

7 Q. What did you do with that
8 information, if anything?

9 MR. HIRAOKA: Objection. Don't
10 answer.

11 Q. Have you spoken to the press in any
12 capacity around these allegations?

13 MR. HIRAOKA: Objection. Don't
14 answer.

15 Q. What role, if any, did you play in
16 causing the release of Mr. Forrester from
17 custody?

18 MR. HIRAOKA: Objection. Don't
19 answer.

20 Q. And why did you direct that action?

21 MR. HIRAOKA: Objection. Don't
22 answer.

23 Q. Is this in accordance with NYPD
24 policy?

25 MR. HIRAOKA: Objection. Don't

1 CHIEF JEFFREY MADDREY

2 answer.

3 Q. Did you cause his arrest to be
4 voided?

5 MR. HIRAOKA: Objection. Don't
6 answer.

7 Q. And, Chief, just as a general
8 matter, what does it mean for an arrest to be
9 voided?

10 MR. HIRAOKA: A general manner.

11 A. As a general manner if you find
12 probable cause is lacking you can void an
13 arrest.

14 Q. Was this incident investigated by
15 anybody, any other entity other than CCRB?

16 A. Yes.

17 Q. By whom?

18 A. By the Internal Affairs Bureau, by
19 Kings County District Attorney's office.

20 Q. Okay. Are those investigations
21 closed?

22 A. Yes.

23 Q. And what is the outcome, if you
24 know?

25 A. Both of them found that I did

1 CHIEF JEFFREY MADDREY

2 nothing wrong.

3 Q. And why was the D.A.'s Office
4 investigating it, under what jurisdiction?

5 A. What do you mean? I don't
6 understand the question.

7 Q. Was it, like, police accountability
8 unit or in what capacity were they
9 investigating?

10 A. I don't know which unit it was
11 investigated in. The case was referred to
12 them along with IAB. We both conducted
13 investigations. They both found I did
14 nothing wrong.

15 MS. MARQUEZ: I will call for
16 production of the IAB file.

17 Q. And how did you learn --

18 MR. HIRAOKA: Put the requests in
19 writing, we will take it under
20 advisement.

21 Q. How did you learn about the IAB
22 case?

23 A. Through the news.

24 Q. You didn't receive a communication
25 from IAB about the closure of the case?

1 CHIEF JEFFREY MADDREY

2 A. Not that I recall. Not that I ever
3 seen.

4 Q. Were you interviewed by any part of
5 the IAB or investigation unit?

6 A. No.

7 Q. Have you ever received discipline
8 other than what we discussed for by NYPD?

9 MR. HIRAOKA: Or this case?

10 MS. MARQUEZ: Anything.

11 A. In 1995 I got in trouble, received
12 discipline.

13 Q. For what?

14 A. That my partner said I used force
15 against him.

16 Q. Sorry, I couldn't hear that.

17 A. Complainant said me and my partner
18 used force against him.

19 Q. Okay. And what was the discipline?

20 A. It was a Nolo contendere loss of 20
21 days.

22 Q. Anything else?

23 A. That's it.

24 Q. Okay.

25 MS. MARQUEZ: I will reserve the

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CHIEF JEFFREY MADDREY

remainder of the time for a court ruling
to bring you back.

Was there anything on your end,
Joe?

MR. HIRAOKA: No. I mean we are
agreeing to bring him back.

MS. MARQUEZ: Well, at Counsel's
expense. I think you inappropriately
directed him not to answer questions on
these things. I was asking if you had
any questions.

MR. HIRAOKA: No, no questions.

Once again, we will bring him back
and, you know, we are not directing him
not to answer forever it's just he can
answer in the presence of his private
counsel.

MS. MARQUEZ: I think that's it
then.

(Time noted: 6:00 p.m.)

JEFFREY MADDREY